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Approval of I-140

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Submitted by Chief Editor on Jun 24th 2010

ANSWER:

CHANGING EMPLOYER WITHOUT *I-140* APPLICATION

If a person changes employers without ever applying for I-140, they can carry NOTHING forward to the next employer. They have to start their labor certification all over again with the new employer.

WHAT IF I-140 IS DENIED

The *PD* cannot be transferred

CHANGING EMPLOYER AFTER I-140 APPROVAL

If a person has received an I-140 approval through an employer, the priority date then belongs to him or her, unless the I-140 is revoked for reasons of fraud. The old employer can withdraw I-140, but the applicant will still be able to retain the Priority Date. Please review the latest information on this topic: [Priority Date Can Be Carried Forward Even if Old I-140 is Revoked \(Unless Fraud or Misrepresentation\) ? July 7, 2012](#) ^[2]

Green Card:

[Form I-140](#) ^[3]

Unless the context shows otherwise, all answers here were provided by [Rajiv](#) ^[4] and were compiled and reported by our editorial team from comments and blog on [immigration.com](#) ^[5]

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Links:

[1] <https://immigration.com/faq/form-i-140/approval-i-140>

[2] <http://forums.immigration.com/entry.php?311-PD-Can-Be-Carried-Forward-Even-if-Old-I-140-is-revoked-%28Unless-Fraud-or-Misrepresentation%29-7-12-12>

[3] <https://immigration.com/greencard/green-card/form-i-140>

[4] <http://www.immigration.com/law-offices-rajiv-s-khanna-pc>

[5] <http://www.immigration.com>

[6] <https://immigration.com/JavaScript%3Avoid%280%29%3B>